

FORMAL ENTRY

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FACSIMILE

DATE:	February 25, 2003	SER. NO.:	09/332,212
ATTN:	Examiner Smith	FROM:	Robert Crawford
FAX NO.:	703-872-9318	DOCKET NO.	PHN 16.982 (PENA.024PA))
PHONE NO.:		SUBJECT:	Office Action Response
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TECHNOLOGY CENTER 2800

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Braat	Examiner:	Smith, Z.V.
Serial No.:	09/332,212	Group Art Unit:	2877
Filed:	April 25, 2001	Docket No.:	PHN-16.982
Title:	DEVICE FOR SCANNING AN OPTICAL RECORD CARRIER		

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence and the papers, as described hereinabove, are being transmitted via facsimile only-Formal Entry, to the attention of Examiner Smith, Assistant Commissioner for Patents, Washington, D.C. 20231, on February 25, 2003.

Facsimile No. (703) 872-9318

By: *Kelly S. Waltrip*
Kelly S. Waltrip

OFFICE ACTION RESPONSEFAX RECEIVED

Assistant Commissioner for Patents
Washington, D.C. 20231

FEB 25 2003

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Dear Sir:

In response to the Office Action mailed November 25, 2002, please consider the following remarks.

Remarks

Favorable reconsideration of this application is requested in view of the following remarks. For the reasons set forth below, Applicant respectfully submits that the claimed invention is allowable over the cited references.

The Office Action mailed November 25, 2002, indicated that claims 2, 3 and 8 are objected to under 37 C.F.R. 1.75 for not providing antecedent basis for certain mathematical terms; claims 1, 6 and 9 stand rejected under § 102(b) as being anticipated by *Nakamura et al.* (U.S. Pat. No. 4,952,787); claims 2-3 stand rejected under § 103(a) as being unpatentable over the '787 reference in view of *Hoshi et al.* (U.S. Pat. No. 4,733,065); claims 4-5 stand rejected under § 103(a) as being unpatentable over the '787 reference in view of the *Hoshi* '065 reference and further in view of *Kuramochi et al.* (U.S. Pat. No. 5,008,552); claims 7